

UNITED STATES BANKRUPTCY COURT  
Western District of North Carolina  
Statesville Division

IN RE:	)	
Nicholas Alan Wood	)	Case Number: 24-50285
Summer Marie Wood	)	CHAPTER 13
Debtors	)	

**MOTION TO MODIFY THE PLAN**

NOW COME the Debtors, by and through counsel, and request the Court to Modify their Plan pursuant to 11 U.S.C. §1329. In support of the motion, the undersigned respectfully shows unto the Court the following:

1. The Debtors filed a petition under Title 11, Chapter 13 of the Bankruptcy Code on August 1, 2024, and the plan has been confirmed.
2. The Debtors listed a 2020 Ford Edge VIN 2FMPK4J95LBA88913 (hereinafter Ford Edge) with a value of \$21,375.00.
3. There has been a substantial change in circumstances since the Debtors filed their petition in that the Ford Edge is failing mechanically, and Mr. and Mrs. Wood are having another child and cannot afford to repair it.
4. The Debtors propose to release the Ford Edge to Santander Consumer USA, Inc.
5. The Debtors propose to reduce their plan payment to \$896.00 per month.

WHEREFORE, the Debtors pray the Court to allow them to:

1. Modify the Chapter 13 Plan payment to pay \$896.00 per month beginning in March 2025.
2. Release the 2020 Ford Edge VIN 2FMPK4J95LBA88913 to Santander Consumer USA, Inc. and for the Chapter 13 Trustee to discontinue servicing this obligation.
3. Relief of Stay shall be granted for the benefit of the creditor for any property Ordered surrendered.
4. Upon entry of the Order surrendering property under this Motion, the creditor shall have 120 days to file a deficiency claim.
5. Grant the Debtors' attorney a standard non-base fee of \$450 plus \$50.00 in mailing costs, to be paid through the plan, for the pursuit of this motion.

This the 28 day of February 2025.

Respectfully submitted,

/s/Thomas C. Flippin  
Thomas C. Flippin,  
Attorney for Debtors  
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UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
STATESVILLE DIVISION

IN RE:

Nicholas Alan Wood  
Summer Marie Wood

)  
) Case Number: 24-50285  
)

**NOTICE OF  
OPPORTUNITY FOR HEARING**

) (No-Protest Notice: No  
) Hearing Will Be Held Unless  
) Request For Hearing Is Filed)

**TAKE NOTICE** that Debtors have filed papers with the Court for a Motion to Modify Plan. A copy of these paper(s) is included with this Notice or copied on the reverse side of this Notice.

**Your rights may be affected.** You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. If you do not have an attorney, you may wish to consult one.

If you do not want the Court to order the relief sought, or if you want the Court to consider your views on the relief sought, then on or before **21 days** from the date of this Notice, you or your attorney must do three (3) things:

1. **File with the Court a written response requesting that the Court hold a hearing and explaining your position. File the response at:**

Clerk, U.S. Bankruptcy Court, 401 West Trade St., Suite 2500, Charlotte, N.C. 28202

If you mail your request to the Court for filing, you must mail it early enough so the Court will receive it on or before the date stated above.

2. **On or before the date stated above for written responses, you must also mail or fax a copy of your written request to:**

Thomas C. Flippin; PO Box 429; Elkin, NC 28621  
&  
Steven G. Tate; 1318 D Davie Avenue; Statesville, NC 28677-3565

3. **Attend the hearing scheduled for April 4, 2025 at 9:30 am.** at U.S. Courthouse, 200 West Broad Street, Bankruptcy Courtroom, Statesville, NC 28677.

If you or your attorney do not take these steps, **A HEARING WILL NOT BE HELD**, and the Court may decide that you do not oppose the relief sought in the motion or objection and may enter an order granting that relief.

This the 28 day of February 2025.

/s/ Thomas C. Flippin  
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Elkin, North Carolina 28621  
State Bar No. #29210  
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